



# House of Representatives

**File No. 863**

General Assembly

January Session, 2001

**(Reprint of File No. 499)**

Substitute House Bill No. 6147  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
June 2, 2001

**AN ACT CONCERNING GENDER SPECIFIC SERVICES AND  
PROGRAMS FOR JUVENILE OFFENDERS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 17a-6 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 The commissioner or [his] the commissioner's designee shall:

4 (a) Establish or contract for the use of a variety of facilities and  
5 services for identification, evaluation, discipline, rehabilitation,  
6 aftercare, treatment and care of children and youth in need of the  
7 department's services;

8 (b) Administer in a coordinated and integrated manner all  
9 institutions and facilities which are or may come under the jurisdiction  
10 of the department and may appoint advisory groups for any such  
11 institution or facility;

12 (c) Encourage the development of programs and the establishment  
13 of facilities for children and youth by public or private agencies and

14 groups;

15 (d) Enter into cooperative arrangements with public or private  
16 agencies outside the state;

17 (e) Insure that all children under [his] the commissioner's  
18 supervision have adequate food, clothing, shelter and adequate  
19 medical, dental, psychiatric, psychological, social, religious and other  
20 services;

21 (f) Provide, in [his] the commissioner's discretion, needed service to  
22 any municipality, agency, or person, whether or not such person is  
23 committed to [him] the commissioner;

24 (g) Adopt and enforce regulations and establish rules for the  
25 internal operation and administration of the department in accordance  
26 with chapter 54;

27 (h) Undertake, contract for or otherwise stimulate research  
28 concerning children and youth;

29 (i) Subject to the provisions of chapter 67, appoint such professional,  
30 technical and other personnel as may be necessary for the efficient  
31 operation of the department;

32 (j) Coordinate the activities of the department with those of other  
33 state departments, municipalities and private agencies concerned with  
34 providing services for children and youth and their families;

35 (k) Act as administrator of the Interstate Compact on Juveniles  
36 established by section 46b-151a, when so designated by the Governor  
37 in accordance with section 46b-151c;

38 (l) Provide or arrange for the provision of suitable education for  
39 every child under [his] the commissioner's supervision, either in public  
40 schools, special educational programs, private schools, educational  
41 programs within the institutions or facilities under [his] the  
42 commissioner's jurisdiction, or work and training programs otherwise

43 provided by law. The suitability of educational programs provided by  
44 the commissioner shall be subject to review by the Department of  
45 Education;

46 (m) Submit to the state advisory council for its comment proposals  
47 for new policies or programs and the proposed budget for the  
48 department;

49 (n) Have any and all other powers and duties as are necessary to  
50 administer the department and implement the purposes of sections  
51 17a-1 to 17a-26, inclusive, and 17a-28 to 17a-49, inclusive; [and]

52 (o) Conduct and render a final decision in administrative hearings;  
53 and

54 (p) Provide programs for juvenile offenders that are gender specific  
55 in that they comprehensively address the unique needs of a targeted  
56 gender group.

57 Sec. 2. Section 46b-121h of the general statutes is repealed and the  
58 following is substituted in lieu thereof:

59 It is the intent of the General Assembly that the juvenile justice  
60 system provide individualized supervision, care, accountability and  
61 treatment in a manner consistent with public safety to those juveniles  
62 who violate the law. The juvenile justice system shall also promote  
63 prevention efforts through the support of programs and services  
64 designed to meet the needs of juveniles charged with the commission  
65 of a delinquent act. The goals of the juvenile justice system shall be to:

66 (1) Hold juveniles accountable for their unlawful behavior;

67 (2) Provide secure and therapeutic confinement to those juveniles  
68 who present a danger to the community;

69 (3) Adequately protect the community and juveniles;

70 (4) Provide programs and services that are community-based and

- 71 are provided in close proximity to the juvenile's community;
- 72 (5) Retain and support juveniles within their homes whenever  
73 possible and appropriate;
- 74 (6) Base probation treatment planning upon individual case  
75 management plans;
- 76 (7) Include the juvenile's family in the case management plan;
- 77 (8) Provide supervision and service coordination where appropriate  
78 and implement and monitor the case management plan in order to  
79 discourage reoffending;
- 80 (9) Provide follow-up and nonresidential postrelease services to  
81 juveniles who are returned to their families or communities;
- 82 (10) Promote the development and implementation of community-  
83 based programs including, but not limited to, mental health services,  
84 designed to prevent unlawful behavior and to effectively minimize the  
85 depth and duration of the juvenile's involvement in the juvenile justice  
86 system; and
- 87 (11) Create and maintain programs for juvenile offenders that are  
88 gender specific in that they comprehensively address the unique needs  
89 of a targeted gender group.

90 Sec. 3. Section 46b-121k of the general statutes is repealed and the  
91 following is substituted in lieu thereof:

- 92 (a) The Office of Alternative Sanctions shall be charged with the  
93 duty of developing constructive programs for the prevention and  
94 reduction of delinquency and crime among juvenile offenders. To that  
95 end, the director shall cooperate with other agencies to encourage the  
96 establishment of new programs and to provide a continuum of  
97 services for juvenile offenders who do not require secure placement.  
98 The programs shall be tailored to the type of juvenile including the  
99 juvenile's offense history, age, gender, mental health and chemical

100 dependency problem, and other characteristics. The Office of  
101 Alternative Sanctions shall develop programs that provide: (1)  
102 Intensive general educational programs, with an individual  
103 educational plan for each juvenile; (2) specific educational components  
104 in the management of anger and nonviolent conflict resolution; (3)  
105 treatment for chemical dependency; (4) mental health screening,  
106 assessment and treatment; and (5) sexual offender treatment.

107 (b) The Office of Alternative Sanctions may contract to establish  
108 regional secure residential facilities and regional highly supervised  
109 residential and nonresidential facilities for juveniles referred by the  
110 court. Such facilities shall operate within contracted-for capacity limits.  
111 Such facilities shall be exempt from the licensing requirements of  
112 section 17a-145.

113 (c) The Office of Alternative Sanctions shall collaborate with private  
114 residential facilities providing residential programs and with  
115 community-based nonresidential postrelease programs.

116 (d) Any program developed by the Office of Alternative Sanctions  
117 that is designed to prevent or reduce delinquency and crime among  
118 juvenile offenders shall be gender specific, as necessary, and shall  
119 comprehensively address the unique needs of a targeted gender group.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

**State Impact:** Uncertain

**Affected Agencies:** Department of Children and Families, Judicial Department

**Municipal Impact:** None

### **Explanation**

#### **State Impact:**

##### **Department of Children and Families**

The bill modifies the powers and duties of the commissioner of children and families by requiring her to provide programs for juvenile offenders that are gender specific in that they comprehensively address the unique needs of a targeted gender group. It is anticipated that the Department of Children and Families will be able to work within its own facilities and in concert with private providers to promote gender specific services within normally budgeted resources.

##### **Judicial Department**

The impact of the bill on Judicial Department programs is uncertain. The bill could result in no impact, could reduce the total number of juveniles served or it could increase the cost of future programs for juvenile offenders operated by the Judicial Department. Since the bill appears to apply only to programs developed on and after October 1,

2001, if no new programs were developed there would be no fiscal impact. However, for any programs that are developed, the cost could be 10%-25% higher since some economies of scale may be harder to achieve with smaller sized programs. It should be noted that although this cost could be higher in the short term, there would likely be no net cost in the long term as new programs are restructured within existing programs to take advantage of economies of scale.

Currently, the agency contracts for a variety of programs<sup>1</sup> for both males and females totaling over \$20 million. About 40% of this funding is allocated for females and 60% for males. There are about 3,500 juveniles being served by these programs at any one time. Most of these services are site based, and are offered in a group format. The cost of siting a program serving the same total number of people in two locations is generally more costly than that for one location due to the need for administrative oversight in each location and higher rent costs per person. Most programs serve about 20 individuals.

House "A" modifies the bill by requiring the Office of Alternative Sanctions to ensure that any program developed to prevent or reduce delinquency and crime among juvenile offenders be gender specific "as necessary." The impact of this change is unknown. The amendment does not define criteria that must be met for gender specific programming to be considered necessary. Therefore, it cannot be determined how its adoption would affect the ultimate impact of the bill.

The original bill required the commissioner of children and families to ensure that education, work and training programs for juvenile offenders under her supervision be gender specific. The amendment removes this requirement, and thus averts a potential significant cost to the Department of Education and local education authorities.

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<sup>1</sup> Including mediation, mental health and substance abuse treatment, juvenile justice centers, outreach and monitoring, supervision and reporting centers, alternatives to detention, and secure detention for females (not including the state's three juvenile detention facilities).

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**OLR Amended Bill Analysis**

sHB 6147 (as amended by House "A")\*

**AN ACT CONCERNING GENDER SPECIFIC SERVICES AND PROGRAMS FOR JUVENILE OFFENDERS.****SUMMARY:**

This bill makes assuring that programs for juvenile offenders comprehensively address the unique needs of targeted gender groups ("gender specific programming") one of the goals of the state's juvenile justice system.

The bill requires the Judicial Branch's Office of Alternative Sanctions to ensure that all of its crime prevention and reduction programs for juvenile offenders are gender specific, if necessary. And it requires the Department of Children and Families (DCF) commissioner to assure that the department's programs for juvenile offenders under its supervision are gender specific. By law, the education commissioner must review the suitability of DCF's educational programs. (Neither the bill nor current law defines "juvenile offender." Presumably, the term applies to both delinquents and serious juvenile offenders, both of which are defined in law.)

Finally, the bill specifies that mental health services are included in the community-based programs the DCF commissioner is responsible for promoting in order to prevent juvenile crime and minimize children's involvement with the juvenile justice system.

\*House Amendment "A" requires all DCF programs, not just education, work and training programs, to be gender specific.

EFFECTIVE DATE: October 1, 2001

**BACKGROUND*****Legislative History***

On May 1, 8, and 14 the House referred the bill (File 499) to the



Appropriations, Human Services, and Education committees respectively. On May 7, 10, and 16 the committees favorably referred the bill without changes.

### **COMMITTEE ACTION**

#### Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12      Nay 0

#### Judiciary Committee

Joint Favorable Substitute

Yea 39      Nay 0

#### Appropriations Committee

Joint Favorable Report

Yea 29      Nay 13

#### Human Services Committee

Joint Favorable Report

Yea 16      Nay 0

#### Education Committee

Joint Favorable Report

Yea 24      Nay 5